

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for a Notice of Inquiry)	PS Docket No. 08-51
Regarding 911 Call-Forwarding)	
Requirements and Carriers' Blocking)	
Options for Non-Initialized Phones)	

**REPLY COMMENTS OF THE WASHINGTON STATE E911
ADMINISTRATOR**

In reading the comments from public safety agencies two conditions become apparent, one directly and one indirectly due to experience with Public Safety Answering Points.

It is directly apparent that this is a complex issue where in addition to the grievous instances where Non-Service Initialized phones have been used to disrupt 911 operations there are many more where the call may be a misdial or in fact the call came from a phone that had just been turned on in order to make the emergency call. These conditions need further detailed examination before any solution can be proposed. The original intent of the rules was to address specific access issues and it appears that for the relatively small percentage of the reported NSI calls that were considered a valid emergency this is happening. However, we do not know if these were calls from truly NSI sets or from sets that were not able to connect to the caller's carrier before 911 was dialed. It is critical that the current

circumstances surrounding the NSI calls that are considered valid requests for assistance be determined with that knowledge being the basis of proposed actions. Only when the issue has been redefined in terms of the current situation can effective rules be applied.

The indirect revelation is that the current situation is very large and has significant impacts on 911 operations. The number of responses from public safety are relatively few when compared against the estimated over 6,000 Public Safety Answering Points (PSAP) in the United States. The Washington State E911 Program Office works with the PSAP community on a daily basis with a very active outreach program. 15 years of experience demonstrates that they do not complain when faced with adversity. They see dealing with calls that are not processed with adequate data as part of their job. It is difficult to drag details from them. Experience is that to have this number of PSAP comments there are thousands more that the agencies simply did not report. PSAPs also tend to be staffed at well below optimum level and experience again is that they will prioritize answering calls over filing a report describing difficulties they may encounter due to technological deficiencies. In considering the next steps the Commission should recognize that the reported problems are very likely an understatement.

The comments from carriers appear to strongly support status quo with a strong suggestion that the PSAP should be in command of any action to preclude a set from calling 911. Status quo seems to imply that there is a

concern that whatever we have today in the form of rules will be better than any yet to be determined change. It is understandable to prefer the known, but does not portend well for a collaborative future where public safety and carriers will need to solve NSI type issues for other communications methods such as text messaging. The idea that the PSAP be in command of decisions regarding turning off disruptive phones ignores the reality that dealing with these cases must be a joint effort. Status quo is not an acceptable answer.

Only a minority of the comments suggested ending the requirement that NSI sets be permitted to dial 911. Yet by far the majority of calls to 911 from NSI sets appear to be not-legitimate emergencies. Ending NSI 911 dialing, minimally at some time in the future, is a fair consideration. Setting elimination of the rules as the base action permits formulation of a definition of when and by whom NSI 911 calls will be processed. Acknowledging the option of at some point eliminating the NSI/911 requirement is necessary to thoroughly examine alternatives. Beginning with the status quo and discussing how to deal with current issues is a far more complex task and will drive the implementation of patches to the existing rules versus more comprehensive actions.

Plentiful technical solutions have been proposed. With technical options waiting to be deployed the decision again goes to determining the intent of the rule based on what should be done. The original NSI rules were aimed at networks and situations of that age and it is appropriate to again

look at what problems need solutions with appropriate implementation of the technical solution appropriate to a particular NSI situation.

It is clear that NSI calls to 911 are creating significant negative situations and that the issues are complex with many options. The Commission is encouraged to move swiftly to assure further examination of the issues followed by constructive rule changes aimed at the networks of today and tomorrow.

Respectfully submitted 29 July 2008,

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